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UNITEDHEALTHCARE OF
NEW YORK, INC.,

and

OXFORD HEALTH INSURANCE, INC.,

Plaintiffs,

v.

LINDA A. LACEWELL, in her official capacity as
Superintendent of Financial Services of the
State of New York,

Defendant.

* * * * *

Civil Action
No. 1:17-cv-07694-JGK

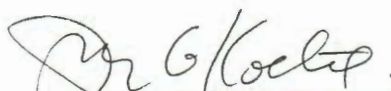
Pursuant to the Court of Appeals' Opinion and Judgment dated July 20, 2020 and
Mandate dated September 10, 2020, the Court hereby:

1. **GRANTS** summary judgment in favor of plaintiffs on their claims arising under the Supremacy Clause of the United States Constitution;
2. **DECLARES** that Defendant's Emergency and Permanent 2017 Plan Year Regulation and Plan Years 2018 and Thereafter Regulation, appearing as Sections 361.9 and 361.10 of Part 361 of Title 11, NYCRR, violate the Affordable Care Act and regulations thereunder, are preempted by federal law, and are null and void and unenforceable;
3. **PERMANENTLY ENJOINS** Defendant, or those acting in concert with Defendant, from enforcing or exercising the authority established by

Defendant's Emergency and Permanent 2017 Plan Year Regulation and Plan Years 2018 and Thereafter Regulation; and

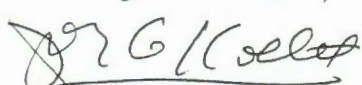
4. **DISMISSES** without prejudice all of Plaintiffs' remaining claims, arising under the Fifth and Fourteenth Amendment to the United States Constitution, as moot.

Dated this 24th day of September, 2020.


UNITED STATES DISTRICT JUDGE

The Clerk is directed to enter
Judgment accordingly and to close
this case.

9/24/20

SO ORDERED

U.S.D.J.